



DEPARTMENT OF PUBLIC SAFETY POLICIES & PROCEDURES



POLICY NUMBER

ADM: 15

EFFECTIVE
DATE:
7/13/2012

ORIGINAL
ISSUED ON:
7/13/2012

REVISION NO:
ORIGINAL

SUBJECT: MATERNITY / PATERNITY LEAVE

1.0 PURPOSE

The purpose of this policy is to establish guidelines for commissioned employees during pregnancy, child birth or the adoption of a child.

2.0 POLICY

It is the policy of the Department of Public Safety to provide its commissioned employees with the guidance to manage all available leave afforded to them during Maternity and Paternity situations.

3.0 APPLICABILITY

This policy is applicable to all commissioned employees of the Department of Public Safety.

4.0 REFERENCES

- A. CALEA Chapter 22 Compensations, Benefits and Working Conditions.**
- B. Family Medical Leave Act of 1993**
- C. Pregnancy Discrimination Act as an amendment to Title VII of the Civil Rights Act of 1964**

5.0 DEFINITIONS

- A. Adoption** – process whereby a person assumes the parenting for another and, in so doing, permanently transfers all rights and responsibilities from the original parent(s).
- B. Physician** – a health care provider who practices the profession of medicine. For pregnancy / obstetrics this may also include a nurse practitioner or practitioner of midwifery.
- C. Postnatal** – period beginning immediately after the birth of the child and extending approximately six (6) weeks after; depending on specifics of the delivery or complications.
- D. Prenatal** – this care is important in screening for various complications of pregnancy. This includes routine office visits with physical exams and routine lab tests.

6.0 PROCEDURE

A. Female Employees

1. Whenever an employee becomes pregnant, she will continue to work in her current position in accordance with her physician's recommendations, as long as she is able

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to perform the essential functions of the job. If her physician submits information indicating that she can no longer perform her current job duties, she will be eligible for temporary assignments.

2. Employee will request a temporary assignment through *PRS: 10 Modified/Limited Duty*.
3. Employee will request leave through *PRS: 15 Absences From Work* for doctor's appointments, childbirth or any other condition that may occur during pregnancy.
4. In the event complications during pregnancy occur which prevent the employee from working, documentation from her physician will be provided to the Human Resources Bureau. An appropriate plan for leave will be determined through the employees leave balances and short term disability benefits per *PRS: 15 Absences From Work*.

B. Male Employees – Prenatal Notification

1. Employee will request leave through *PRS: 15 Absences From Work* for doctor's appointments, childbirth or any other condition that he may need to assist his spouse in the course of her pregnancy.

C. Female Employees – Postnatal

1. After the birth of the child, the employee will continue leave not to exceed the twelve (12) weeks allowed by the Family Medical Leave Act. This leave may be used from accrued sick, annual, compensatory and personal leave. The remainder of the twelve (12) weeks, not covered by accrued leave, is unpaid FMLA leave. Unpaid leave or temporary disability must be granted per *PRS: 15 Absences from Work*.
2. If complications occur or employee needs a longer recovery period, written documentation must be provided to the Human Resources Bureau for consideration of short term disability benefits or an extension of accrued leave per *PRS: 15 Absences From Work*.
3. The employee may return to work and continue limited duty status until cleared by her physician to return to full/normal duty status.
4. If employee is nursing she will follow the procedures set forth in *PRS: 25 Use of Breast Pumps In The Workplace*.

D. Male Employees – Postnatal

1. After the birth of the child, the employee will request leave not to exceed the twelve (12) weeks allowed by the Family Medical Leave Act. This leave may be used from accrued sick, annual, compensatory and personal leave time.
2. If complications occur or employee needs to assist spouse for a time that extends beyond FMLA, written documentation must be provided to the Human Resources Bureau for consideration of the leave extension per *PRS: 15 Absences From Work*.

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E. Male and Female Employees

A husband and wife who are both employed by the Department of Public Safety are entitled to a combined total of twelve (12) weeks; (480 hours) during an eligibility year for the birth of a child or placement of an adopted child. The combined limitation does not apply to leave taken by either spouse to care for the other who is seriously ill and unable to work, to care for a child with a serious health condition or for his/her own serious health condition.

7.0 ATTACHMENTS

NONE

8.0 APPROVAL

APROVED BY: s/ Gorden E. Eden Jr. **DATE:** July 13, 2012
DPS Cabinet Secretary